

**MORRIS, NICHOLS, ARSHT & TUNNELL LLP**

1201 NORTH MARKET STREET  
P.O. BOX 1347  
WILMINGTON, DELAWARE 19899-1347

302 658 9200  
302 658 3989 FAX

**MEGAN E. DELLINGER**  
(302) 351-9366  
mdellinger@morrisnichols.com

November 16, 2023

The Honorable Christopher J. Burke  
J. Caleb Boggs Federal Building  
844 North King Street  
Wilmington, DE 19801-3555

*VIA ELECTRONIC FILING  
AND HAND DELIVERY*

Re: *Pfizer Inc., et al. v. Dexcel Pharma Technologies Limited*,  
C.A. No. 23-879 (JCG) (CJB);  
*Pfizer Inc., et al. v. Cipla Limited*, C.A. No. 23-909 (GBW) (CJB);  
*Pfizer Inc., et al. v. Aurobindo Pharma Limited*, C.A. Nos. 23-923 (GBW) (CJB)  
and 23-1182 (GBW) (CJB);  
*Pfizer Inc., et al. v. Zenara Pharma Private Limited*,  
C.A. No. 23-924 (GBW) (CJB)

Dear Judge Burke:

Pursuant to the Court's Oral Order (*see, e.g.*, D.I. 15 in C.A. No. 23-879), the parties submit this letter, a copy of Your Honor's Case Management Checklist (Ex. A), and an agreed [Proposed] Scheduling Order (Ex. B). If it meets with the Court's approval, the parties request that their [Proposed] Scheduling Order be entered.

These cases are Hatch-Waxman actions. Defendants have filed Abbreviated New Drug Applications seeking to market generic versions of Plaintiffs' Vyndamax<sup>®</sup> (tafamidis) (defendants Dexcel, Cipla, and Zenara) or Vyndaqel<sup>®</sup> (tafamidis meglumine) (defendant Aurobindo) products, which are approved for treatment of cardiomyopathy of wild-type or hereditary transthyretin-mediated amyloidosis in adults. Plaintiffs have asserted U.S. Patents Nos. 7,214,695 (Dexcel and Aurobindo); 7,214,696 (Dexcel and Aurobindo); and 9,770,441 (Dexcel, Cipla, and Zenara), all of which are listed in the Orange Book.

The parties met and conferred via telephone on October 23 and November 7 and reached agreement on the attached [Proposed] Scheduling Order (Ex. B). The three most significant issues from the Case Management Checklist discussed during the parties' meet and confers were: (1) consolidation of the cases, to which the parties agreed (*see* Ex. B, Paragraph 1); (2) a procedure for case dispositive motions with respect to U.S. Patent No. 9,770,441, which the parties reached

The Honorable Christopher J. Burke

November 16, 2023

Page 2

agreement on, and submit for the Court's approval (*see* Ex. B, Paragraph 17); and (3) limitations on discovery, which the parties reached agreement on.

Counsel are available at the Court's convenience, should Your Honor have any questions.

Respectfully,

*/s/Megan E. Dellinger*

Megan E. Dellinger (#5739)

MED/bac

Attachments

cc: Clerk of the Court (via hand delivery; w/attachments)  
All Counsel of Record (via electronic mail; w/attachments)